

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

QUATRIL SMITH,

Plaintiff,

Case No. 1:22-cv-864

v.

Honorable Ray Kent

GENESEE COUNTY JAIL,

Defendant.

ORDER OF TRANSFER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Plaintiff presently is incarcerated at the Saginaw County Correctional Facility (SRF) in Freeland, Saginaw County, Michigan, though the events giving rise to Plaintiff's action occurred at the Genesee County Jail in Flint, Genesee County, Michigan. Plaintiff sues the Genesee County Jail. In his *pro se* complaint, Plaintiff alleges that excessive force was used against him when he "was sent to the hole." (Compl., ECF No. 1, PageID.3.) Plaintiff also alleges that when he was moved back to general population from segregation, he was placed in a "visiting area," and another inmate "rushed in past the Deputy and attacked [Plaintiff] while [Plaintiff was] strap[ped] down to the chair." (*Id.*) Plaintiff states that he was "struck repeatedly in [his] face," and he did not "receive any medical assistance" at Genesee County Jail. (*Id.*)

Under the revised venue statute, venue in federal-question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). The events underlying the complaint occurred in Genesee County. Genesee County is within the geographical boundaries of the Eastern District of Michigan.

28 U.S.C. § 102(a). In these circumstances, venue is proper only in the Eastern District of Michigan.

Accordingly,

IT IS ORDERED that this case be transferred to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. § 1406(a). **It is noted that this Court has not decided Plaintiff's motion to proceed *in forma pauperis*, nor has the Court reviewed Plaintiff's complaint under 28 U.S.C. §§ 1915(e)(2), 1915A, or under 42 U.S.C. § 1997e(c).**

Dated: September 29, 2022

/s/ Ray Kent
Ray Kent
United States Magistrate Judge